BOMBAY COURIER

EXTRAORDINARY.

TUESDAY, SEPTEMBER 29, 1818.

# THE COURIER
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### JUDICIAL DEPARTMENT.

THE Right Hon'ble the Governor in Council is pleased to direct the following revised Regulation VI. 1818. to be republished.

Regulation VII. is also published for general information.

## A. D. 1818. REGULATION VI.

A REGULATION *for carrying on the trade between the British possessions in India and the countries and states in amity with His Majesty.*—PASSED *by the Court of Directors of the United Company of Merchants of England trading to the East Indies, this 31st day of December* 1817.

Preamble. WHEREAS by an act passed in the 37th year of the reign of his present Majesty, entitled "An act for regulating the trade to be carried on with the British possessions "in India by the ships of nations in amity with His Majesty", it was enacted, that from and after the passing of that act, and during the continuance of the exclusive trade of the United Company of Merchants of England trading to the East Indies, and during the term for which the possession of the British territories in India is secured to the said United Company, it should be lawful for the ships and vessels of countries and states in amity with His Majesty, to import into, and export from the British possessions in India, such goods and commodities as they should be permitted to import into, and export from the said possessions by the Directors of the said Company; who were thereby directed to frame such regulations for carrying on the trade to and from the said possessions, and the countries and states in amity with His Majesty, as should seem to them most conducive to the interest and prosperity of the said British possessions in India, and of the British empire; and that no ship or vessel belonging to any of the subjects of states or countries in amity with His Majesty, should be liable to seizure, confiscation or forfeiture, or other penalty, for exporting from, or importing into the said British possessions in India, any goods or commodities the importation or exportation of which should respectively be permitted by the said regulations, any thing in a certain act, of the twelfth year of the reign of King Charles the second, therein recited, to the contrary notwithstanding; provided always, that it should not be lawful for the Directors of the said United Company to frame any regulations for the conduct of the said trade, which should be inconsistent with any treaty or treaties which should have been, or might be, entered into by His Majesty, his heirs and successors, and any country or state at amity with His Majesty, or which might be inconsistent with any act or acts of Parliament which had been passed for the regulation of the trade and commerce of the said British Territories in India: and WHEREAS by another act passed in the 53rd year of the reign of his present Majesty, intituled "An act for continuing in the East India Company, for a further term, the possession of the British territories in India, together with certain exclusive privileges; for establishing further regulations for the government of the said territories, and the better administration of justice within the same; and for regulating the trade to and from the places within the limits of the said Company's Charter.", all the enactments, provisions, matters and things contained in any act or acts whatsoever which was limited, or might be construed to be limited, to continue for and during the term granted to the said Company by a certain act of the Parliament of Great Britain of the 33d year of his present Majesty therein recited, so far as the same, or any of them, were in force and not repealed by, or regugnant to the said act of the 53d year of his said present Majesty, should continue and be in force during the further term thereby granted to the said Company; subject to such alterations therein as might be made by any of the enactments, provisions, matters and things in that act contained—

The Court of Directors of the United Company of Merchants of England trading to the East Indies, in virtue of the powers granted to them by the aforesaid acts, have framed the following Regulation for carrying on the trade to and from the British possessions in India and the countries and states in amity with His Majesty.

Rules [illegible] which ship[illegible] longing [illegible] reign Eu[illegible] an nation[illegible] ing a [illegible] ment of own in [illegible] and bein[illegible] amity w[illegible] His Maj[illegible] are allow[illegible] trade wit[illegible] British p[illegible] India.

II. Foreign European ships, belonging to any nation having a settlement of its own in the East Indies and being in amity with His Majesty, may freely enter the British sea ports and harbours in that country, whether they come directly from their own country or from any of the ports and places in the East Indies; they shall be hospitably received and shall have liberty of trade there in imports and exports conformably to the regulations established in such places: provided that it shall not be lawful for the said ships in time of war between the British government and any state or power whatever, to export from the said British territories without the special permission of the British government, any military or naval stores, saltpetre, or grain. The said ships may also be cleared out for any port or place in the East Indies; but if cleared out for Europe, shall be cleared out direct for the country in Europe to which such ships respectively belong.

Also [illegible] pect to [illegible] Foreign [illegible] pean [illegible] having [illegible] tablish[illegible] the East.

III. *First.* Foreign European ships belonging to countries having no establishment in the East Indies, may (when those countries and states respectively are in amity with His Majesty) freely enter the ports of the principal British settlements in the East Indies, viz. Calcutta, Madras, Bombay and Prince of Wales Island, only. They shall be hospitably received there, and have free liberty to trade in imports and exports conformably to the regulations of the place: provided that it shall not be lawful for the said ships in time of war between the British government and any state or power whatever, to export from the said British territories without the special permission of the British government, any military or naval stores, saltpetre, or grain: and provided also that the said ships proceed from their own ports direct to the said principal British settlements, without touching at any port or place whatever in the voyage out, except from necessity and merely to procure refreshments, or repairs in case of distress or accidents in the course of such voyage; the burthen of the proof of which necessity to rest on the parties.

...The vessels of the said European powers last afore-
...d not carry any of the articles exported by them from the
...British territories, to any port or place except to some
... or place in their own countries respectively, where the same
...ll be unladen. The said ships shall not be cleared out to carry
...n the coasting or country trade in India; but vessels going with their original cargoes, or part thereof, from one principal British port of discharge to another principal British port, are not to be considered as carrying on the coasting trade.

*Third.* The said vessels shall not be allowed to proceed, either with or without return cargo, from the said British territories to the settlements or factories of any foreign European nation in India, or to the territory of any Asiatic potentate or power, except from the like necessity as is before described, of which the proof shall rest with them. Nor shall the said vessels be allowed to enter the river in that part of the British territory situated in Bengal, for any other purpose than that of proceeding to the port of Calcutta for trade, refreshment, or repairs.

*Fourth.* In clearing out for their respective countries, the clearance shall be a direct one to the country to which the vessel belongs, and to no other whatever.

The trade between the British possessions and the United states of America to be regulated by the convention of commerce dated the 3d July 1815.

IV. The trade between the British possessions in India and the United States of America shall be regulated by the convention of commerce between Great Britain and the United States of America, signed at London the 3d July 1815.

*By Order of the Right Hon'ble*
*the Governor in Council,*
W. NEWNHAM,
*Secretary to Government.*

BOMBAY CASTLE,
23d September 1818.

## A. D. 1818 REGULATION VII.

*REGULATION for encreasing the tax called market fees, levied on shops and stalls within the town and island of BOMBAY, beating the battakee, and using or employing country musick within the same; and for levying a tax on the erection of wedding sheds, or other places of temporary amusement, in any of the streets or roads of the said town and island: made with the sanction of the Court of Directors of the United ... to the E... mi...*

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WHEREAS it has been found necessary, for the support of the funds for defraying the expenses of the police establishment for the town and island of Bombay, and for the improvement of roads, drains, markets & other public works of the said town and island, to revise and augment the tax commonly called market fees on shops, stalls, the battakee and country musick; and to levy a tax on the erection of wedding sheds, or other places of temporary amusement, on any of the streets or roads of the said town or island: the following Regulation has been passed accordingly by the Right Honorable the Governor in Council, with the sanction of the Court of Directors of the United Company of Merchants of England trading to the East Indies, and approbation of the Board of Commissioners for the affairs of India.

The Collector of Bombay to make and collect a quarterly assesment on all shops and stalls within the island, according to specified rates.

II. The Collector of Bombay shall make a quarterly assesment on each and every shop and stall within the town and island of Bombay, and shall collect the same quarterly at the rates enumerated in schedules A. and B. annexed to this Regulation.

The Magistrates of Police to grant licences for the erection of wedding sheds or other places of temporary amusement.

III. All persons desirous of erecting wedding sheds, or other places of temporary amusement, in the public streets or roads, shall apply for licence to erect the same to either of the Magistrates of police; who are hereby authorized and required to grant such licence, unless they see good cause for refusing the same, and to direct the engineer officer attached to the Court of Petty Sessions to measure off and mark out the space of ground required, or so much of the same as they, or either of them, may think proper: and on the said space of ground being so marked out and measured, the said engineer officer is hereby required to deliver a certificate of the space, so marked out and measured, to the party obtaining the said licence, and a duplicate of the same to the Collector of Bombay. And the said Collector is hereby authorized and required to make an assessment upon each and every person enclosing such space so marked out as aforesaid, at the rate of 5 rupees a night for every space not exceeding 10 square yards so taken in and enclosed; and for every such space exceeding ten square yards, at the rate of one rupee a night for every square yard so enclosed.

The ground so occupied to be measured by the Engineer officer attached to the Court of Petty Sessions, who is to furnish a certificate of mea-

IV. Any person presuming to enclose any part of the public streets or roads, for the purpose of erecting a wedding shed, or other place of temporary amusement, without having previously obtained such licence as aforesaid from one of the Magistrates of police, and such certificate as aforesaid from the said engineer officer, shall be liable to the penalty of 5 rupees a night for every square yard so enclosed; and any person taking in or inclosing a greater space of ground than what was marked out and measured off by the said engineer officer, and included in such certificate as aforesaid, shall be surcharged for the same at the rate of 5 rupees a night for every square yard, so inclosed, which shall not have been so marked out and measured and included in such certificate.

V. All persons desirous to use or employ country musick in the celebration of any wedding, or other ceremony or entertainment, shall apply for a licence in writing to use or employ the same, to either of the Magistrates of police; who are hereby authorized and required to grant such licence, unless they see good reason for refusing the same. Such licence to contain the number of days for which it may be granted. And all persons using or employing such musick, shall be assessed at the rate of one rupee a day for the same: and any person using or employing such musick without a licence, or for any period exceeding the number of days for which such licence may be granted, shall be liable to a fine of 5 rupees a day for every day that such musick shall be used or employed without a licence.

VI. All persons desirous of giving public notice by beat of battakee of the sale of any house, building, land or other immoveable property, or of the sale of any goods or chattels, or of publicly offering a reward, or giving any other kind of lawful public notice by the same, shall apply to either of the Magistrates of police to authorize the publishing such notice by beat of battakee; and on obtaining such permission shall pay to the Collector the following fees for every such notice respectively, previously to the same being so given.

| | rs. | qr. | rs. | |
|---|---|---|---|---|
| For ... public notice, by beat of battakee, ... le of any house, land or other tene- ... at the rate of ..... | 2 | 2 | 0 | each notice. |
| ...ods or ... | 1 | 0 | 0 | |
| ... of any reward ... or for any ... | | | | |

VII. In cas... ments, fees, surcharges, fine... the demand of the same, the Collector of ... bay is hereby authorized and required, to levy the same by warrant under his hand and seal by distress and sale of the offender's goods and chattels; and the overplus of the money raised, after deducting the penalty and expenses of distress and sale, shall be rendered to the owner.

VIII. Any person who shall feel himself aggrieved by any assessment, surcharge, fine or penalty, demanded by the Collector in pursuance of this Regulation, is at liberty to appeal to the Court of Petty Sessions within eight days after such demand; and the said court are hereby authorized and required to affirm, or reduce, such assessment, surcharge, fine or penalty, according as they may think just and equitable; and if no such appeal be made within eight days after the said demand, the Collector is hereby authorized and required to levy the same by distress as aforesaid.

IX. And it is hereby further ordained that the whole of the said fees so to be levied and paid as herein before provided, shall be, in the first instance, applied to the maintenance of the Police and of the public markets; and secondly, in the draining and improvement of the island of Bombay, under the inspection and subject to the controul of the Court of Petty Sessions as aforesaid: provided always, that the said Court shall not be empowered to sanction the expenditure of any sum or sums of money under this Regulation, beyond the established charges for the levy of the same, without the previous sanction of the Governor in Council.

X. This Regulation is to have effect from the 1st of November 1818.

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on 08 April, 2017

*CHEDULE, A, of the rates at which Shops and Stalls within the Bombay division of the town and island of Bombay, shall be assessed according to Regulation.*

| DESCRIPTION OF SHOPS OR STALLS. | Rates to be paid per quarter. Rs. q. rs. |
|---|---|
| ttaris or perfumers, | 1 2 00 |
| ullers, | „ 1 20 |
| akers, | „ 3 80 |
| angle sellers, | 1 2 00 |
| hutiars, or country eating houses, | „ 3 00 |
| Billetwood sellers, | „ 1 20 |
| Brickmakers, | „ 3 00 |
| Carpenters, | „ 3 00 |
| Cattle butcher, (Slaughterers) | 1 2 00 |
| Cattle butcher, (Sellers) | 1 0 00 |
| Copper smith, | 1 0 00 |
| Cotton seller, | „ 1 20 |
| Chowkesey, or repairers of jewels, | 1 1 00 |
| Chunam seller, | 1 0 00 |
| China-ware shopkeepers, | 1 2 00 |
| Cooley, | „ 0 46 |
| Cloth shop, | 1 0 00 |
| Dyers, | 1 0 00 |
| Earthen-pot-makers, | „ 0 48 |
| Europe shop (including the shops of Natives, wholesale purchasers of European investments), | 5 0 00 |
| Forell sellers, | „ 1 20 |
| Fuddia, or grain retailers, | 1 0 00 |
| Goat butcher, | „ 3 84 |
| Goldsmith, | 2 0 00 |
| Ironsmith, | „ 1 20 |
| Leather merchant, | „ 1 20 |
| Liquor seller, | „ 0 96 |
| Mat maker, | „ 1 20 |
| ilk seller, | „ 0 60 |
| tton butcher, | „ 3 84 |
| il maker, | 1 0 00 |
| earl and coral seller, | 2 0 00 |
| ice shopkeeper, | 6 0 00 |
| olisher, | „ 1 20 |
| Rattaner, | „ 1 20 |
| Rice seller, | „ 0 96 |
| Ruffooger, or repairers of shawls &c, | „ 1 20 |
| Seed shop, | 1 1 00 |
| Sweetmeat makers, | 1 0 00 |
| Shoemaker, | „ 1 20 |
| Straw sellers, | 1 2 00 |
| Taylors, | 1 0 00 |
| Toddy seller, | „ 0 60 |
| Turners, | 1 0 00 |
| Wooden warehouse, 1st class, | 1 2 00 |
| Wooden warehouse, 2d class, | „ 3 00 |

*SCHEDULE, B, of the rates at which Shops and Stalls within the Mahim division of the town and island of Bombay, shall be assessed according to Regulation.*

| DESCRIPTION OF SHOPS OR STALLS. | Rates to be paid per quarter. Rs. q. rs. |
|---|---|
| Aullers, | „ 1 16 |
| Bangle seller, | 1 0 00 |
| Billet wood warehouse, | „ 3 00 |
| Bhundarys, | „ 0 84 |
| Choochia, or bhussary, | „ 0 84 |
| Chunam kilns, | 1 2 00 |
| Cloth seller, | 1 0 00 |
| Copper-smith, | 1 0 00 |
| Fish sellers, | „ 0 60 |
| Goldsmith, | 2 0 00 |
| Hoondia, or teria, | 1 0 00 |
| Ironsmith, | „ 1 20 |
| Mat makers, | „ 0 52 |
| Milk seller, | „ 0 84 |
| Painters, | „ 1 16 |
| Parah chopping, | „ 0 60 |
| Pot makers, | „ 0 52 |
| Seed shops, | 1 1 00 |
| Shoemaker, | „ 1 20 |
| Shroff pice seller, | 1 3 50 |
| Sweetmeat sellers, | 1 0 00 |
| Tailor, | „ 1 20 |
| Wood sellers (in bundles), | „ 1 20 |

*By Order of the Right Hon'ble the Governor in Council,*

W. NEWNHAM,
*Sec. to Govt.*

BOMBAY CASTLE,
*29th September* 1818.

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